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14	BROCADE COMMUNICATIONS SYSTEMS, INC.	
14	, 100	
15	UNITED STATES DIS	

## ATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

## SAN FRANCISCO DIVISION

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MARY E. BARBOUR AS TRUSTEE FOR THE
MARY E. BARBOUR FAMILY TRUST ONE.
Derivatively On Behalf of BROCADE
COMMUNICATIONS SYSTEMS, INC.,
                                       Case No. 08-CV-2029
          Plaintiff.
                                       MOTION AND (PROPOSED) ORDER
     VS.
                                       REGARDING LEAVE TO EXCEED
GREGORY L. REYES, DAVID L. HOUSE,
                                       PAGE LIMITS
MICHAEL KLAYKO, RICHARD
DERANLEAU, KUMAR MALAVALLI,
ANTONIO CANOVA, MICHAEL J. BYRD,
STEPHANIE JENSEN, NEIL DEMPSEY,
SANJAY VASWANI, L. WILLIAM KRAUSE,
ROBERT R. WALKER, GLENN C. JONES,
MICHAEL J. ROSE, SETH D. NEIMAN,
NICHOLAS G. MOORE, CHRISTOPHER B.
PAISLEY, WILLIAM K. O'BRIEN, LARRY
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SONSINI, MARK LESLIE, TYLER WALL, RENATO A. DIPENTIMA, JOHN W. GERDELMAN, ROBERT D. BOSSI, KPMG, LLP, WILSON SONSINI GOODRICH & ROSATI, P.C. AND DOES 1-25, inclusive,			
	Defendants,		
-and-	;		
	BROCADE COMMUNICATIONS SYSTEMS, INC., a Delaware corporation,		
	Nominal Defendant		

Nominal defendant Brocade Communications Systems, Inc. ("Brocade") respectfully moves pursuant to Local Rule 7-11 for leave to exceed the page limitations specified in Local Rule 7-2 and this Court's Standing Orders dated June 30, 2004. Specifically, Brocade seeks leave to exceed these page limitations in its opening memorandum of points and authorities in support of its motion to dismiss the amended complaint in this action or, in the alternative, to realign the parties and stay this action, dated August 2, 2008.

The page limit for a memorandum of points and authorities is 25 pages pursuant to Local Rule 7-2 and 15 pages pursuant to the Court's Standing Orders.

Although Brocade has diligently worked to keep its memorandum of points and authorities as brief as possible, the nature of this matter, its relation to already pending litigation in this Court, and the issues raised by plaintiff's amended complaint do not permit Brocade to fully and adequately brief the issues within the page limits set out in the Local Rules and this Court's Standing Orders. Brocade's memorandum of points and authorities total 50 pages.

WHEREFORE, Brocade respectfully requests that the Court enter an order permitting it to exceed the page limitations set forth in Local Rule 7-2 and this Court's Standing Orders in its

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memorandum of points and authorities in support of its motion to dismiss or, alternatively, to realign the parties and stay this action.

Dated: August 3, 2008 Respectfully submitted,

DEWEY & LEBOEUF LLP

By: /s/ Peter E. Root

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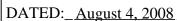
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Attorneys for

BROCADE COMMUNICATIONS SYSTEMS, INC.

\* \* \*

## **ORDER**



IT IS SO ORDERED

